

Notice of Allowability	Application No.	Applicant(s)	
	09/151,617	BENZOS ET AL.	
	Examiner	Art Unit	
	Nicholas D. Rosen	3625	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of 1/25/2005.
2. ☒ The allowed claim(s) is/are 1-41 and 48-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>1/25/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Claims 1-41 and 48-61 have been examined.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Maurice Pirio on December 8, 2005.

In the thirteenth and fourteenth lines of claim 1, "the server system obtains" is hereby amended to read, "**the server system automatically obtains**".

In the fourteenth line of claim 13, "obtaining additional information" is hereby amended to read, "**automatically obtaining additional information**".

In the fourteenth and fifteenth lines of claim 23, "the server system obtains" is hereby amended to read, "**the server system automatically obtains**".

The following amendments are hereby made in claim 35: In the third line, "receiving an order" is hereby amended to read, "**automatically receiving an order**". In the sixth line, "storing the received order in an order database" is hereby amended to read, "**storing the received order by the computer system in a computer system order database**". In the eighth line, "sending a communications" is hereby amended to

read, **“automatically sending a communication by the computer system”**, and in each of the ninth, tenth, twelfth, and fourteenth lines, “communications” is hereby amended to read, **“communication”** (singular). In the fourteenth and fifteenth lines, “collecting additional information” is hereby amended to read, **“automatically collecting additional information by the computer system”**. In the eighteenth line, “verifying” is hereby amended to read, **“automatically verifying by the computer system”**. In the twentieth line, “sending the gift” is hereby amended to read, **“automatically sending the gift by the computer system”**. In the twenty-first line, “notifying the gift giver” becomes **“automatically notifying the gift giver by the computer system”**.

Claims 42, 43, 44, 45, 46, and 47 are hereby cancelled without prejudice or disclaimer.

Claim 48 is hereby amended to read as follows:

48. A computer-based gift delivery system for coordinating the delivery of a gift from a gift giver to a recipient, the system comprising:

an order entry component configured to provide a selection of available gifts, to receive a selection of a gift, to receive contact information describing the recipient, and to store the gift order; and

a gift delivery component configured to retrieve the stored gift order, configured to determine whether the contact information includes sufficient delivery information to

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deliver the gift to the recipient, configured to obtain, responsive to determining that sufficient delivery information is not included, additional information about the recipient by attempting to contact the recipient and by searching various databases of information, at least one said database exterior to the computer system, and configured to direct the sending of the gift to the recipient when sufficient delivery information has been obtained.

Claim 53 is hereby amended to read as follows:

53. A method in a computer system for coordinating the delivery of a gift given by a gift giver to a recipient, the method comprising:

automatically receiving an order from the gift giver, the order identifying a gift to be delivered to the recipient and having contact information relating to the recipient;

storing the received order by the computer system in an order database in association with an order tracking number;

automatically identifying an electronic mail address for the recipient using the contact information received from the gift giver;

automatically sending a first electronic mail message by the computer system to the recipient based on the contact information, the first message requesting delivery information for the gift, the first message including the order tracking number so that the recipient can include the order tracking number in a response to the first message for identification of the stored order;

when a second electronic mail message that responds to the first electronic mail message sent to the recipient is received from the recipient and the received second message has sufficient delivery information,

automatically retrieving the order tracking number and the delivery information from the received second electronic mail message;

automatically retrieving from the order database the order associated with the retrieved order tracking number;

automatically directing delivery of the gift of the retrieved order in accordance with the retrieved delivery information;

automatically sending a third electronic mail message to the gift giver indicating that the gift is being delivered to the recipient; and

when a second electronic mail message that responds to the first electronic mail message sent to the recipient is received from the recipient but the received second message does not have sufficient delivery information or when no second electronic mail message is received, automatically sending a third electronic mail message by the computer system to the gift giver, the third message indicating that the gift cannot be delivered to the recipient and including the order tracking number so that the gift giver can include the order tracking number for identification of the stored order in a response to the third message that provides additional contact information.

New claims 56, 57, 58, 59, 60, and 61 are hereby added as follows:

56. A computer system for ordering an item, the system comprising:
- a component that sends to a client system instructions for
 - displaying information identifying the item at the client computer system;
 - receiving from a user an indication of a recipient to whom the ordered item is to be delivered;
 - displaying an indication of an action that is to be performed by the user to order the item; and
 - in response to the indicated action being performed, sending to a server system an indication that the item is to be ordered and the indication of the recipient to whom the ordered item is to be delivered; and
 - a component of the server system that, when the server system does not have sufficient information for the indicated recipient to deliver the ordered item, obtains additional information from one or more external information sources other than the user that is sufficient to deliver the ordered item to the indicated recipient.
57. The computer system of claim 56 wherein the indication of the recipient is an electronic mail address.
58. The computer system of claim 56 wherein the displaying of the information identifying the item and the displaying of the indication of the action to be performed are

performed by the client system before the receiving of the indication of the recipient from the user.

59. The computer system of claim 56 wherein the client system and the computer system communicate via the Internet.

60. The computer system of claim 56 wherein sending includes sending an identifier of the client system.

61. The computer-system of claim 1 wherein the displaying is effected by displaying an HTML document provided by the computer system.

Allowable Subject Matter

Claims 1-12 and 34 are allowed.

Claims 13-22 are allowed.

Claims 23-33 are allowed.

Claims 56-61 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Philippe et al. (U.S. Patent 6,643,624), discloses a computer-implemented method for ordering an item using a client system (as do various other patents and documents relating to e-commerce). In particular, Philippe discloses a check-out application using address, etc., information previously provided by the user to

fill in order entry forms for vendors. However, this is not "the server obtaining additional information from one or more external information sources other than the user to deliver the ordered item to the indicated recipient," because the information was obtained from the user, and is not external to the server, although it may be external to the vendors. Miller (U.S. Patent 6,202,052) discloses an electronic intermediary using a taxpayer's social security number to obtain information from tax data providers (column 4, lines 51-62), but this is a rather different situation, without any suggestion to combine with the system of Philippe. It is also well known to go look data up in information sources, e.g., a human being looking up address data in a paper telephone directory, but this is not the same a server obtaining such information automatically.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 35-41 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Hill et al. ("Internet Christmas Shoppers at Risk from Credit Card Fraud"), discloses a method in a computer system for coordinating the delivery of a gift given by a gift giver to a recipient, including receiving an order, but does not disclose sending a communication to the recipient to request delivery information, and even taking that to be obvious, Hill does not disclose when the recipient does not respond to

the communication, automatically collecting additional information for the gift by the computer system based on the contact information from sources other than the gift giver. Miller (U.S. Patent 6,202,052) discloses an electronic intermediary using a taxpayer's social security number to obtain information from tax data providers (column 4, lines 51-62), but this is a rather different situation, without any suggestion to combine with the system of Hill. It is also well known to go look data up in information sources, e.g., a human being looking up address data in a paper telephone directory, but this is not the same as a server obtaining such information automatically.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 48-52 are allowed.

Claims 53-55 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Hill et al. ("Internet Christmas Shoppers at Risk from Credit Card Fraud"), discloses a method in a computer system for coordinating the delivery of a gift given by a gift giver to a recipient, including receiving an order, but does not disclose a component configured to obtain additional information about the recipient by attempting to contact the recipient, and searching various databases of information, and directing the sending of the gift to the recipient when sufficient delivery information has been

obtained. Attempting to contact a recipient, and searching databases of information, are well known in themselves, e.g., when performed by a human being making telephone calls and looking up information in address books, but that does not suffice to make a component of a computer-based gift delivery system configured to do so obvious. Miller (U.S. Patent 6,202,052) discloses an electronic intermediary using a taxpayer's social security number to obtain information from tax data providers (column 4, lines 51-62), but this is a rather different situation, without any suggestion to combine with the system of Hill.

The above statement has been made with particular reference to claim 48, but claim 53 is held to be allowable on at least the same grounds.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Small (U.S. Patent 5,513,117) discloses an apparatus and method for electronically dispensing personalized greeting cards and gifts. Cook (U.S. Patent 5,860,068) discloses a method and system for custom manufacture and delivery of a data product. Blinn et al. (U.S. Patent 5,897,622) disclose an electronic shopping and merchandising system. Vallaire (U.S. Patent 5,971,273) discloses an automated

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florist system allowing direct contact with delivering florist. Mori et al. (U.S. Patent 6,085,168) disclose an electronic commerce settlement system. Tsukuda (U.S. Patent 6,085,170) discloses a delivery managing system. Larsen et al. (U.S. Patent 6,088,700) disclose automated forms completion for global information network applications. Gupta et al. (U.S. Patent 6,199,079) disclose a method and system for automatically filling forms in an integrated network-based transaction environment. Miller (U.S. Patent 6,202,052) discloses a fully-automated system for tax reporting, payment, and refund. Philippe et al. (U.S. Patent 6,643,624) disclose a method and system for integrating transaction mechanisms over multiple Internet sites. Shub et al. (U.S. Patent 6,807,530) disclose a method and apparatus for remote commerce with customer anonymity.

Zucker et al. (U.S. Patent Application Publication 2005/0114218) discloses a third party privacy system.

Suda et al. (EP 0 720 090 A2) disclose an information processing system for completing or resolving ambiguity of input information, and a method therefor.

McQuillan ("Nutshell Information Manager") discloses files with customer records, should as addresses, to look up when processing orders. Hall's letter (in "Feedback," by Johannessen et al.) discloses mail order firms using computer address databases. Poullos ("Tame the Tiger: Electronic Forms, Coupled with Workflow Management and Support for Client Computers, Can Increase Worker Productivity") discloses automatically filling a form from a customer database. The anonymous article, "Kao Infosystems Launches T-Reg, Integrated Registration, for Customer Focused

Marketing," discloses completing forms with accurate customer information. The anonymous article, "Industry Briefs: FDC Speeds Approval Process," discloses highlighting incomplete applications, and generating a letter detailing additional information needed. The anonymous article, "3COM: 3Com Announces Winners of the First Annual Retail Network Innovation Awards," discloses an address book that holds gift recipient addresses. Hill et al. ("Internet Christmas Shoppers at Risk from Credit Card Fraud") disclose a site enabling customers to order goods, and have them shipped to other persons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins, can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Non-official/draft communications can be faxed to the examiner at 571-273-6762, or e-mailed to Nicholas.Rosen@USPTO.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas D. Rosen

**NICHOLAS D. ROSEN
PRIMARY EXAMINER**

December 8, 2005